

dollars, to be paid out of the fund for internal improvements into the hands of the acting commissioner who may have charge of such work, to be expended upon the same, and it shall be the duty of every acting commissioner to take duplicate receipts for all sums of money which they may advance and pay to engineers, contractors, agents and all other persons for and on account of public works in progress under their charge respectively; and that whenever any sums of money which shall have been paid to any acting commissioner, and remaining unaccounted for, shall amount to forty thousand dollars, it shall not be lawful for the auditor of the board to draw any drafts or order on the treasurer of the state, in favor of said commissioner, until he shall have produced an account and vouchers to said auditor showing the payment and expenditure on the works under his charge, of thirty thousand dollars out of the said sum of forty thousand dollars.

Sec. 13. The board of internal improvement is hereby authorized and required to establish the rate of tolls, subject, however, to the direction of the legislature, to be paid on all articles conveyed on any of the canals or railroads hereafter to be constructed by the state, to erect all such toll-houses, weighing-scales, offices and other edifices, and also to purchase such ground for the convenience thereof as they may think necessary for the convenience and profitable use of the canal or railroads, and they are hereby authorized from time to time to make all such rules and regulations in respect to the collection of tolls, and the payment thereof as they may deem expedient.

Sec. 14. Said board shall have power to employ such and so many agents, engineers, surveyors, draftsmen, architects, and other persons as in their opinion may be necessary to enable them to fulfill and discharge the duties imposed upon them by this act, and to allow and pay the said agents, engineers, surveyors, draftsmen, architects, and other persons for their respective services, such sum or sums as may be adequate and reasonable, and also to contract for and purchase all necessary instruments for the use of the engineers so employed by them, and for the benefit of the state.

Sec. 15. The said board are hereby empowered to receive any cessions or grants for the use of the people of this state, from any person or persons, of any lands through which any line of canal or railroad or other public work shall have been located; said board of commissioners, and every acting commissioner under their direction shall be, and they are hereby vested with all the privileges and powers necessary for the location, construction and keeping in repair all canals, railroads and other improvements of which they may have charge, and the said board, their agents or those with whom they may contract for working or repairing any of the said works of internal improvement or any parts thereof, may enter upon use and excavate any land which may be wanted for the site of the same, or any other purpose which is necessary in the construction or repair of any said work. Every person interested in premises through or over which any canal, railroad or other improvements may be located, by and under the direction of the board of commissioners, and claiming damages for the same or any other damages arising from such works, shall within one year after the damages claimed shall have accrued, exhibit to the board of commissioners a statement of his claim in writing, signed by himself, his guardian or agent, specifying the nature and extent of his claim for damages; and every person neglecting or refusing to exhibit such claim within the time prescribed, shall be deemed to have surrendered to the people of this state his interest in the premises used for the purpose aforesaid, and in the damages arising as above mentioned; and whenever any claim for damages shall be made within the time and in the manner above specified, the said board of commissioners are hereby authorized to fix by agreement with the claimant, the amount of damages which such claimant shall receive, and if any agreement cannot be made, the claimant shall select one discreet freeholder of the county in which such damages arise having no interest direct or indirect, in the damages claimed, and the said board shall appoint another; and the two thus chosen shall select a third to act with them in appraising the damages so claimed. The appraisers shall before they enter upon the duties of their trust, take the oath prescribed by the constitution of this state, before any person authorized to administer oaths; they shall then proceed to inquire into and assess the damages so claimed (taking into consideration also the benefit resulting to such claimant) and their determination or that of any two of them as to the amount of damages that shall be paid shall be conclusive. The appraisers making such determination shall make a certificate thereof under their hands and seals, and the amount of damages so certified shall be paid by the order of the board from the internal improvement fund in the treasury, to the person appearing by such certificate to be entitled thereto; *Provided, however*, That if the amount of damages in any case shall not exceed the sum offered by the board of commissioners for such damages before the appointment of the appraisers, then the costs of all the proceedings after such offer shall be deducted by the board from the amount of damages certified, but if such amount shall exceed such previous offer, then all such costs shall be paid out of the fund for internal improvement, and every allowance, either upon appointment or by agreement, shall be entered in the books of the board of commissioners; and whenever the sum shall be allowed for premises appropriated as above mentioned, the entry shall contain and sufficient description of the same, the names of the persons interested, and the sums estimated to each for benefit and damages, and the fee simple in the premises so appropriated and described, shall be there by vested in the people of this state forever; each of the appraisers shall be entitled to the sum of three dollars per diem.

Sec. 16. Said board shall meet annually on the first Tuesday in January in each and every year, at the city of Detroit, or at such other place as shall hereafter be designated as the seat of government, or where the legislature meet; and they may, as often as they shall deem it expedient and necessary meet from time to time at other place or places as they shall agree upon. They shall continue in session at their annual meeting until they have made and transmitted all reports appertaining to the condition and progress of all public works in their charge; and shall, as often as they

may be thereto required by resolution of either House, report and give information on any subject connected with public works. They shall also, on or before the first day of February in each and every year, settle and account to the treasurer of the State for all moneys by them received. And the auditor to the board shall as soon thereafter as may be, report such settlement so made to the legislature, detailing the sums allowed and paid to acting commissioners, engineers, contractors, agents, &c., employed in the construction of any public works under their supervision.

Sec. 17. The legislature shall determine the amount of yearly compensation or salary which shall be allowed for the services of any acting commissioner, until the same shall be otherwise ordered. And the board shall determine the amount of yearly salary or compensation of any and all engineers, agents, servants, &c., appointed and employed by them, and the same shall be allowed and paid out of the fund appropriated for internal improvement.

Sec. 18. Every member of the board shall be allowed, and the same shall be paid out of the fund aforesaid, for every day he shall have attended the meetings thereof, the same per diem allowance and mileage as is by law allowed the members of the legislature, except those who are acting commissioners, who shall be paid as before specified in the foregoing section.

Approved March 21, 1837.  
A true copy. KINTZING PRITCHETTE,  
Secretary of State.

AN ACT to provide for the disposition of the university and primary school lands and for other purposes.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the State of Michigan*, That the superintendent of public instruction, shall have the care and disposition of all lands and other property reserved and granted to the state for the purposes of education.

Sec. 2. The said superintendent shall have power, and it is hereby made his duty, to sue for, and recover in his name of office, in any court of competent jurisdiction, for all trespasses and wastes, committed on said lands and property, either by injuring the same, or by cutting, carrying off, or otherwise destroying the timber growing thereon; and also to sue and recover as aforesaid in an action of assumpsit, for the use and occupation of all said lands and property, such sum or sums as may be just of any person or persons, who may have used or occupied the same, either by consent and permission, or by lease from any officer or officers having charge thereof or otherwise.

Sec. 3. The attorney general of this State and the prosecuting attorneys of the several counties, are hereby authorized and directed to appear in behalf of the state, and conduct all such suits as they may be instructed and required to do by the superintendent of public instruction.

Sec. 4. All moneys collected under the preceding sections, after deducting the cost of such collection shall be paid into the treasury of the state, to be accounted for by him in the same manner as other moneys that shall come into his hands by virtue of his office.

Sec. 5. The superintendent of public instruction is hereby authorized and empowered to sell at public auction, so much of the University lands as shall amount to a sum not exceeding five hundred thousand dollars, and so much of the School lands as will amount to a sum not exceeding one million five hundred thousand dollars, on such terms and under such regulations as are hereinafter prescribed.

Sec. 6. None of the University lands shall be sold at a lower minimum price than shall be sold at a lower minimum price than twenty dollars per acre, and none of the Primary School land at a lower minimum price than eight dollars per acre.

Sec. 7. The terms of payment to be one fourth of the purchase price in cash, the remainder in annual instalments of five per cent., commencing in five years from the time of sale at an interest of seven per cent., to be paid annually, at such place as shall be specified in the instrument of security. *Provided*, That any person who may wish to pay his instalments before the same shall become due, may do so by giving one year's previous notice to the superintendent of public instruction of his intention to pay.

Sec. 8. Public notice of sale shall be given, at least three months, before the sale of any lands shall take place; such notice to set forth the time and place of sale, and be published in the State paper, and in one or more papers in the county in which the lands to be sold may be located, or by posting up written notices in three of the most public places in such county.

Sec. 9. No land shall be sold except at public auction in the county where such lands are located; but the time and place of sale, shall be under the direction of the superintendent of public instruction.

Sec. 10. Whenever either the University or School fund will be greatly benefited by laying off any section or part of a section, into town or village lots, the superintendent of public instruction is hereby authorized to do, or to cause the same to be done; and all such lots shall be sold on the same terms, and under the same regulations herein before prescribed but in all other cases, the said University and School lands shall be sold in such quantities and parcels not exceeding one hundred and sixty acres as may in the opinion of the superintendent of public instruction most promote the interest of the said University and School fund.

Sec. 11. On the sale of lands agreeably to the provisions of this act, the superintendent of public instruction is hereby authorized and directed to make out and deliver to the purchaser or purchasers of said land a certificate in the name of the people of this state, in his official capacity, and it shall be witnessed by two witnesses; said certificate shall describe the land sold; the consideration paid and to be paid thereof, the time and terms of payment, and the conditions of the forfeiture and re-entry by the State, or of interest, when it becomes due. Said certificate shall be subject to record in the same manner, that deeds of conveyance now are, and shall entitle the said purchaser or purchasers, or their heirs or assigns to a patent for the land so purchased when the terms of the contract shall have been fulfilled; and the Governor of this State, shall sign and cause to be issued patents for said land to the purchaser or purchasers, upon the delivery to him of the certificate aforesaid, with the further certificate of the said superintendent, that the lands described in said first mentioned certificate had been paid for, and that the terms of the contract of sale had in all things been fulfilled; and it shall be the duty of said superintendent to take and keep a true copy of all certificates given by him on the sale of any lands as aforesaid.

Sec. 12. The State shall not be deemed to have divested itself of the title in and to any of said lands until a patent shall issue therefor, pursuant to the provisions of this act, and in case of the non-fulfillment of the said purchaser or purchasers of the terms of the contract in his certificate set forth, the certificate of said person or persons shall be void and of no effect; and all the interest of such purchaser to said land claimed by virtue of the said certificates shall be absolutely void, and the full title to such land and the right to the possession thereof shall revert in the State, and if the said superintendent shall take possession thereof and re-sell the same, pursuant to the provisions of his act.

Sec. 13. In all cases where persons holding certificates to said land as aforesaid have forfeited all right and title to the same and the land sold by them by the non-payment of the purchase money or non-payment of the terms expressed in his or their certificates according to the provisions of this act and they or any other person or persons without title, shall give possession of such land after three days written notice shall have been given to such person or persons, by said superintendent or his agent to quit possession thereof, such person or persons shall be liable to be dispossessed of said land in the same manner as if they had forcibly entered upon and detained the said land from the possession of this state; and it shall be the duty of said superintendent of public instruction, in the name of the people of this state to proceed and obtain possession of said land by an action of forcible entry and detainer, and the proceedings shall be had as near as may be, pursuant to an act entitled "An Act to prevent forcible entries and detainers and the act or acts amendatory thereto."

Sec. 14. All persons holding lands by virtue of certificates as aforesaid, shall be liable to be taxed therefor in the same manner as if they were the actual owners of said land.

Sec. 15. The superintendent is also hereby authorized, to employ such assistants as may be necessary to carry into effect the provisions of this act. *Provided*, That no such assistants be employed, but such as shall be approved by the Governor, and such assistants shall receive for their services a sum not exceeding three dollars per diem.

Sec. 16. It shall be the duty of the superintendent, on the first Monday of every month, and at all other times when he shall have fifty thousand dollars in his hands, to deposit all moneys remaining in his hands on account of the University or School fund in the deposit bank of this State and take the receipt of the cashier thereof for the same. And at the same time, he shall transmit to the Secretary of State, an account of the land sold, and the name of the persons purchasing the same. The moneys so deposited shall be loaned to such counties in this state as may apply for a portion thereof, but no loan to any one county shall exceed the sum of fifteen thousand dollars, or for a term of time less than ten years, and that no loan shall be made to any county unless the faith of the same shall be pledged to pay the interest annually, and the principal whenever called for after ten years, and it is further provided that should a balance of said moneys remain after supplying all counties which may apply for the same, the superintendent is hereby authorized to loan the same to individuals on bond and mortgage on unincumbered lands, which exclusive of buildings, shall be valued in double the amount of the moneys so loaned; *Provided*, always, that no moneys shall be drawn from such deposits into the bank by the said superintendent, until the securities herebefore required by this act shall be deposited with the cashier of said bank, to be transmitted by him to the Secretary of State.

Sec. 17. The superintendent of public instruction may lease for a term of years not exceeding three years the University or Primary School lands which may not have been sold, and which are already improved or natural meadows on such terms as may seem to him expedient.

Sec. 18. Before commencing the sale of the University and School lands, the superintendent shall give bonds in the sum of one hundred thousand dollars with such sureties as shall be approved by the auditor general and accepted by the treasurer, conditioned for the faithful discharge of his duties herebefore prescribed, it shall be the further duty of the superintendent.

1st. To submit to the Legislature an annual report, exhibiting the condition of the university and primary school funds, also of the primary schools and of the university, and the manner in which the same have been expended, and the public schools, as he may think proper to communicate.

2d. To prepare suitable forms for making all reports, which may be required of the district, township and university boards and suitable regulations for conducting all proceedings under the laws relating to public instruction and transmit the same with such instructions as he may deem proper for the organization and government of the public schools, with such directions as to the course of studies as he may judge advisable, to the several officers, intrusted with their management and care.

3d. To apply the income of the university fund to the payment of such debts as shall accrue from the operation of the law establishing the university, and apportion the income of the school fund among the several townships and cities of the state, in proportion to the number in each, between the ages of five and seventeen years.

4th. To prepare annually a table of the amount payable to the university, and also the amount in the aggregate payable to the several counties of the state; and present the same to the auditor general, who shall thereupon issue his warrant upon the treasurer of the state for the amount payable to the university, and to the several counties, and direct the same to the treasurer of their respective counties.

5th. To send written notices to the clerks of the several counties, of the amounts in the aggregate to be disbursed in their respective townships thereof, and the amount payable to the different townships thereof, such notices to be disposed of by said clerks, as directed

in the forty first section of the act to provide for the organization and support of primary schools.

Sec. 19. The interest accruing from all moneys derived from the sale of the university and primary school lands, shall be paid to the treasurer of the State, and be passed to the credit of the university or primary school fund, as the case may be. And it is hereby made the duty of the treasurer of the state, to pay all such moneys to the treasurer of the university, and to the treasurer of the several counties on the warrant of the auditor general.

The superintendent shall receive for his services the sum of one thousand five hundred dollars per annum, payable quarterly, out of any moneys in the treasury not otherwise appropriated.

Approved March 21, 1837.  
A true copy.

KINTZING PRITCHETTE, Sec'y of State.

AN ACT to amend an act entitled "An Act concerning mortgages."

Sec. 1. *Be it enacted by the Senate and House of Representatives of the State of Michigan*, That in all cases where lands shall be sold by them by the non-payment of the purchase money or non-payment of the terms expressed in his or their certificates according to the provisions of this act and they or any other person or persons without title, shall give possession of such land after three days written notice shall have been given to such person or persons, by said superintendent or his agent to quit possession thereof, such person or persons shall be liable to be dispossessed of said land in the same manner as if they had forcibly entered upon and detained the said land from the possession of this state; and it shall be the duty of said superintendent of public instruction, in the name of the people of this state to proceed and obtain possession of said land by an action of forcible entry and detainer, and the proceedings shall be had as near as may be, pursuant to an act entitled "An Act to prevent forcible entries and detainers and the act or acts amendatory thereto."

Sec. 14. All persons holding lands by virtue of certificates as aforesaid, shall be liable to be taxed therefor in the same manner as if they were the actual owners of said land.

Sec. 15. The superintendent is also hereby authorized, to employ such assistants as may be necessary to carry into effect the provisions of this act. *Provided*, That no such assistants be employed, but such as shall be approved by the Governor, and such assistants shall receive for their services a sum not exceeding three dollars per diem.

Sec. 16. It shall be the duty of the superintendent, on the first Monday of every month, and at all other times when he shall have fifty thousand dollars in his hands, to deposit all moneys remaining in his hands on account of the University or School fund in the deposit bank of this State and take the receipt of the cashier thereof for the same. And at the same time, he shall transmit to the Secretary of State, an account of the land sold, and the name of the persons purchasing the same. The moneys so deposited shall be loaned to such counties in this state as may apply for a portion thereof, but no loan to any one county shall exceed the sum of fifteen thousand dollars, or for a term of time less than ten years, and that no loan shall be made to any county unless the faith of the same shall be pledged to pay the interest annually, and the principal whenever called for after ten years, and it is further provided that should a balance of said moneys remain after supplying all counties which may apply for the same, the superintendent is hereby authorized to loan the same to individuals on bond and mortgage on unincumbered lands, which exclusive of buildings, shall be valued in double the amount of the moneys so loaned; *Provided*, always, that no moneys shall be drawn from such deposits into the bank by the said superintendent, until the securities herebefore required by this act shall be deposited with the cashier of said bank, to be transmitted by him to the Secretary of State.

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4th. To prepare annually a table of the amount payable to the university, and also the amount in the aggregate payable to the several counties of the state; and present the same to the auditor general, who shall thereupon issue his warrant upon the treasurer of the state for the amount payable to the university, and to the several counties, and direct the same to the treasurer of their respective counties.

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Sec. 19. The interest accruing from all moneys derived from the sale of the university and primary school lands, shall be paid to the treasurer of the State, and be passed to the credit of the university or primary school fund, as the case may be. And it is hereby made the duty of the treasurer of the state, to pay all such moneys to the treasurer of the university, and to the treasurer of the several counties on the warrant of the auditor general.

The superintendent shall receive for his services the sum of one thousand five hundred dollars per annum, payable quarterly, out of any moneys in the treasury not otherwise appropriated.

Approved March 21, 1837.  
A true copy.

KINTZING PRITCHETTE, Sec'y of State.

AN ACT to amend an act entitled "An Act concerning mortgages."

Sec. 1. *Be it enacted by the Senate and House of Representatives of the State of Michigan*, That in all cases where lands shall be sold by them by the non-payment of the purchase money or non-payment of the terms expressed in his or their certificates according to the provisions of this act and they or any other person or persons without title, shall give possession of such land after three days written notice shall have been given to such person or persons, by said superintendent or his agent to quit possession thereof, such person or persons shall be liable to be dispossessed of said land in the same manner as if they had forcibly entered upon and detained the said land from the possession of this state; and it shall be the duty of said superintendent of public instruction, in the name of the people of this state to proceed and obtain possession of said land by an action of forcible entry and detainer, and the proceedings shall be had as near as may be, pursuant to an act entitled "An Act to prevent forcible entries and detainers and the act or acts amendatory thereto."

Sec. 14. All persons holding lands by virtue of certificates as aforesaid, shall be liable to be taxed therefor in the same manner as if they were the actual owners of said land.

Sec. 15. The superintendent is also hereby authorized, to employ such assistants as may be necessary to carry into effect the provisions of this act. *Provided*, That no such assistants be employed, but such as shall be approved by the Governor, and such assistants shall receive for their services a sum not exceeding three dollars per diem.

Sec. 16. It shall be the duty of the superintendent, on the first Monday of every month, and at all other times when he shall have fifty thousand dollars in his hands, to deposit all moneys remaining in his hands on account of the University or School fund in the deposit bank of this State and take the receipt of the cashier thereof for the same. And at the same time, he shall transmit to the Secretary of State, an account of the land sold, and the name of the persons purchasing the same. The moneys so deposited shall be loaned to such counties in this state as may apply for a portion thereof, but no loan to any one county shall exceed the sum of fifteen thousand dollars, or for a term of time less than ten years, and that no loan shall be made to any county unless the faith of the same shall be pledged to pay the interest annually, and the principal whenever called for after ten years, and it is further provided that should a balance of said moneys remain after supplying all counties which may apply for the same, the superintendent is hereby authorized to loan the same to individuals on bond and mortgage on unincumbered lands, which exclusive of buildings, shall be valued in double the amount of the moneys so loaned; *Provided*, always, that no moneys shall be drawn from such deposits into the bank by the said superintendent, until the securities herebefore required by this act shall be deposited with the cashier of said bank, to be transmitted by him to the Secretary of State.

Sec. 17. The superintendent of public instruction may lease for a term of years not exceeding three years the University or Primary School lands which may not have been sold, and which are already improved or natural meadows on such terms as may seem to him expedient.

Sec. 18. Before commencing the sale of the University and School lands, the superintendent shall give bonds in the sum of one hundred thousand dollars with such sureties as shall be approved by the auditor general and accepted by the treasurer, conditioned for the faithful discharge of his duties herebefore prescribed, it shall be the further duty of the superintendent.

1st. To submit to the Legislature an annual report, exhibiting the condition of the university and primary school funds, also of the primary schools and of the university, and the manner in which the same have been expended, and the public schools, as he may think proper to communicate.

2d. To prepare suitable forms for making all reports, which may be required of the district, township and university boards and suitable regulations for conducting all proceedings under the laws relating to public instruction and transmit the same with such instructions as he may deem proper for the organization and government of the public schools, with such directions as to the course of studies as he may judge advisable, to the several officers, intrusted with their management and care.

3d. To apply the income of the university fund to the payment of such debts as shall accrue from the operation of the law establishing the university, and apportion the income of the school fund among the several townships and cities of the state, in proportion to the number in each, between the ages of five and seventeen years.

4th. To prepare annually a table of the amount payable to the university, and also the amount in the aggregate payable to the several counties of the state; and present the same to the auditor general, who shall thereupon issue his warrant upon the treasurer of the state for the amount payable to the university, and to the several counties, and direct the same to the treasurer of their respective counties.

5th. To send written notices to the clerks of the several counties, of the amounts in the aggregate to be disbursed in their respective townships thereof, and the amount payable to the different townships thereof, such notices to be disposed of by said clerks, as directed

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## CONSTANTINE REPUBLICAN.

WEDNESDAY, APRIL 19, 1837.

**"The Laws occupy more space today, than we intend to devote to them hereafter. These new inserted are of general interest, and the act especially, relative to the sale of the University and Primary School Lands, is important to every inhabitant of our state—all young or old, are to be benefited through its wholesome provisions. By the notice of the Superintendent of Public Instruction, in our column of new advertisements, today, the sale of those lands in this county, it will be seen, is to be on the first of August; in Berrien the 18th and Cass the 25th July, in Branch the 18th and Willard the 15th August, &c. &c."**

**"French papers of Feb. 31, give detailed accounts of another threatened attempt upon the life of King Louis Philippe, by an intended assassin named Champion; who was arrested, and confined in prison, where he 'foolishly' died, by hanging himself with his cravat, from the bar of a window. A Paris journal discourses on the subject as follows:—**

**"Champion was not alone in planning the crime which he had in contemplation; several individuals have been arrested as accomplices in his odious project. The papers seized at the house of one of these individuals, as well as those found at Champion's lodging, prove, that they were both connected with secret societies. The death of this man, therefore, will not be an obstacle to the examination which has been commenced. The first indication given to the authorities, about a fortnight since, was furnished by an anonymous letter, mentioning a place to attempt the life of the king, without pointing out the authors, or affording any further explanations—and it was only by dint of great exertions and care, that the police discovered the source whence the communication proceeded. This discovery led to others still more important, and the guilty parties were in the hands of justice before any one of them suspected of their operations were noticed."**

**Another paper describes the half constructed machine, calculated to destroy the king, which was found in 'Champion's' garret. It was a box, resembling a child's chest of drawers, in which were placed for nineteen small pistol barrels, ingeniously arranged. By pulling a string, the whole would be discharged, one at a time, in quick succession, and in various directions. His plan, as stated in confusion by himself, was—'to obtain a hand cart and fill it with furniture, as if removing from his lodgings; the machine was to be placed at the height of five or six feet, and concealed by a mattress; a porter, hired at chance, was to draw the hand-cart on the road to Neuilly, near the spot where the king would pass in his carriage, and at the proper moment, Champion was to pull the string and fire the machine."**

**A Fienchi, a Munier and a Champion, in their several efforts for distinction, all within the sphere of six or seven months, have given Louis Philippe some rather squally evidence of the 'stability' of his throne, and the 'loyalty' as well as the 'morality' of his subjects. Well may he begin to consider himself a 'target' set up to try the skill of a nation of sportsmen, ready at any moment for bloody emulation, even at the cost of their own lives. The life of such a monarch can be little short of death perpetual."**